

ORDINANCE NO. _____

AN ORDINANCE GRANTING MAGELLAN PIPELINE HOLDINGS, L.P. A PERMIT TO INSTALL ONE 8.625 INCH PIPELINE TRANSPORTING REFINED PETROLEUM PRODUCTS ACROSS OR ALONG AND UNDER CERTAIN STREETS IN THE CITY WITHIN THE BOUNDS OF A CENTERPOINT ENERGY CORRIDOR; SETTING PERMIT FEES; PROVIDING FOR INDEMNIFICATION FROM LIABILITY TO THE CITY;

Whereas, Magellan Pipeline Holdings, L.P. (Magellan) desires a permit to lay, construct and install one 8.625 inch pipeline in the City of Jacinto City, Texas, pursuant to and subject to the Pipeline Transportation Ordinance #95-08-01 finally adopted August 1, 1995, of the City of Jacinto City, and

Whereas, it is determined that Magellan has properly applied for and paid for such permits and qualifies under the Ordinance and agrees to be bound by said Ordinance, Now Therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF JACINTO CITY, TEXAS

SECTION 1. Permit Granted. Magellan Pipeline Holdings, L.P. (Magellan) pursuant to the master "Pipeline Transportation" Ordinance of the City of Jacinto City, Texas, is hereby granted a permit to construct, install and lay one 8.625 inch pipeline across, along and under the streets and property within the bounds of a Centerpoint Energy Corridor described hereinbelow. The Magellan pipeline shall be for the purpose of transporting refined petroleum products with a Maximum pressure of 1440PSI and with a Maximum temperature of 125 degrees Farenhight

SECTION 2. Pipeline Location. Magellan is authorized to construct, install, and lay one 8.625 inch pipeline between within a Centerpoint Energy Corridor across Market Street, Munn Street and Lane Street, in accordance with the description and diagrams attached hereto and incorporated herein by reference for all purposes and designated as Exhibit "A".

SECTION 3. Permit Fees. Magellan shall pay an initial permit fee of \$1,500.00 upon the passage of this Ordinance and an annual fee of \$500.00 thereafter during each year the pipelines described hereinabove are in operation, the first payment shall be due and payable on or before September 1, 2013, and a like payment of \$500.00 to be paid on September 1, of each and every year thereafter during the time said pipelines are in operation.

SECTION 4. Compliance with Pipeline Transportation Ordinance. Magellan shall comply with all of the terms, conditions and provisions of the City's Pipeline Transportation Ordinance, including but not limited to the Indemnification provisions set forth in said Ordinance, a copy of which is attached hereto and incorporated herein by reference and designated as Exhibit "B".

PASSED AND ADOPTED THIS THE ____ DAY OF FEBRUARY, 2012.

RACHEL NUNEZ, Mayor

ATTEST:

JOYCE RAINES, City Secretary

Passed and adopted this the ____ day of _____, 2012, on the second and final reading.

RACHEL NUNEZ, Mayor

ATTEST:

JOYCE RAINES, City Secretary

APPROVED:

JIM L. DeFOYD, City Attorney